

Remarks

The office action of August 13, 2003, has been carefully reviewed. This paper is responsive thereto.

Claims 1-27 stand rejected under 35 USC § 103 as over U.S. Patent Number 6,262,719 to Bi et al. Applicants respectfully traverse.

Claims 1, inter alia, recites:

“ displaying a user interface having a plurality of soft buttons
in response to the predetermined input, the plurality of soft buttons
providing selectable functionality of a two-button mouse-type
computer input device.”

Bi et al. teaches a display area 1200 and a hot icon area 1202. See col. 40 lines 39 through 43. The icon referenced by the examiner, icon 1232 showing the conversion between a right mouse button function and a left mouse button function, is only disclosed to be in hot icon area 1202. This icon is always present. See Figure 36 of Bi et al. There is no indication that icon 1232 is displayed in response to the predetermined input. Accordingly, as Bi et al. fails to teach or suggest the icon 1232 being displayed in response to a predetermined user input as claimed, Bi et al. cannot teach or suggest claim 1.

In the office action of August 12, 2003, the Examiner stated that:

“...one skilled in the art would have found it obvious to
incorporate a reveal routine to the hot icon area if such a feature

was desired due to the extreme conventionality of such a function. Examples of this reveal routine are is [sic] the Microsoft Windows right click menu reveal and the mouse over reveal function. It would have been obvious to one skilled in the art to incorporate such a feature because of its power saving and display space conserving potential.”

Applicants strenuously traverse these assertions by the Examiner. The Examiner has not provided any reference in support of these blanket assertions. Second, what the Examiner is calling conventional is not shown to apply to anything other than mice with two buttons. There is no teaching of applying what the Examiner is recalling from memory or present day systems to Bi before the present invention was made.

Claim 1 does not claim a stylus with the aspects of claim 1 activated by operation of buttons. Rather, it is based on the interaction between the stylus and the digitizer. The Examiner has not shown any art that suggests this modification and has not shown any motivation except that from Applicants’ disclosure as to why any modification from the prior art would be beneficial.


The Examiner has engaged in impermissible hindsight in the broad-brush rejection of the claims. The present rejection is in violation of MPEP 2142 and 2143. Applicants explicitly request the Examiner to find a reference prior to the filing of the present application that teaches what the Examiner is asserting and provides motivation for the modification as suggested by the Examiner. Without any new art, Applicants assert that the present position taken by the Examiner

is without support and needs to be withdrawn.

If the examiner has any questions, the examiner is invited to contact the undersigned to further prosecution.

Respectfully submitted,

By:



Christopher R. Glembocki
Reg. No. 38,800

BANNER & WITCOFF, LTD.
1001 G Street, N.W., 11th Floor
Washington, D.C. 20001
Telephone: (202) 508-9100
Facsimile: (202) 508-9299

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